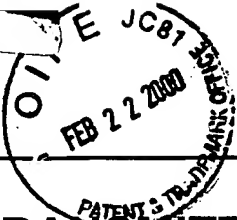


# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



# 8P1713

Application Number	09/056,289
Filing Date	April 7, 1998
First Named Inventor	John R. Shutt
Group Art Unit	1713
Examiner Name	Fred M. Teskin
Attorney Docket Number	98B017/2

Total Number of Pages in This Submission 9

## ENCLOSURES (check all that apply)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Preliminary Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents)<br><input type="checkbox"/> Response to Missing Part/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> To Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Additional Enclosure(s) (please identify below):<br>----- |
|---|--|--|

REMARKS

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual name	Jaimes Sher	Registration No.	34,722
Signature	<i>Jaimes Sher</i>		
Date	February 16, 2000		

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## CERTIFICATE OF MAILING

I hereby certify having information and a reasonable basis for belief that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 16, 2000

Typed or printed name	Tammy L. Hodges		
Signature	<i>Tammy L. Hodges</i>	Date	February 16, 2000

# FEE TRANSMITTAL

Note: Effective November 10, 1998  
Patent fees are subject to annual revision

Total Amount of Payment (\$)**380.00**

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

Deposit Account Number:

05-1715

Deposit Account Name:

Univation Technologies, LLC

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

## FEE CALCULATION

### 1. FILING FEE

Large Entity Fee Code	Fee Description	Fee \$	Fee Paid
101	760	Utility filing fee	
106	310	Design filing fee	
107	480	Plant filing fee	
108	760	Reissue filing fee	
114	150	Provisional filing fee	
SUBTOTAL (1)			

### 2. CLAIMS

	Extra	Fee from below	Fee Paid
Total Claims	- 20 =	18	
Independent Claims	- 3 =	78	
Multiple Dependent Claims	0	260.00	

### Large Entity

Fee Code	Fee\$	Fee Description
103	18	Claims in excess of 20
102	78	Independent claims in excess of 3
104	260	Multiple dependent claim
109	78	Reissue independent claims over original patent
110	18	Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		

Com if Known

Application Number 05/056,289  
Filing Date April 7, 1998  
Inventors Shutt  
Group Art Unit 1713  
Examiner Name Fred M. Teskin  
Attorney Docket Number 98B017/2

## FEE CALCULATION (continued)

### ADDITIONAL FEES

Fee Code	Large Entity Fee \$	Fee Description	FEES PAID
105	130	Surcharge - late filing fee or oath	
127	50	Surcharge - late provisional filing or cover sheet.	
139	130	Non-English specification	
147	2,520	For filing a request for reexamination	
112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	Requesting publication of SIR after Examiner action	
115	110	Extension for reply within first month	
116	380	Extension for reply within second month	\$380.00
117	870	Extension for reply within third month	
118	1,360	Extension for reply within fourth month	
128	1,850	Extension for reply within fifth month	
119	300	Notice of Appeal	
120	300	Filing a brief in support of an appeal	
121	260	Request for oral hearing	
138	1,510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1,210	Petition to revive - unintentional	
142	1,210	Utility issue fee (or reissue)	
143	430	Design issue fee	
144	580	Plant issue fee	
122	130	Petition to the Commissioner	
123	50	Petitions related to provisional applications	
126	240	Submission of information Disclosure Stmt.	
581	40	Recording each patent assignment per property (times number of properties)	
146	760	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	For each additional invention to be examiner (37 CFR 1.129(b))	
Other fee (specify) * Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			\$380.00

Typed or Printed Name

Jaimes Sher

Reg. No.

34,726

Signature

*Jaimes Sher*

Date

February 16, 2000

Deposit Account User ID

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157



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Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

\$

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/056,289 04/07/98 SHUTT

J	EXAMINER 17/2
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EXXON CHEMICAL COMPANY  
P O BOX 2149  
BAYTOWN TX 77522

IN22/0509

ART UNIT	PAPER NUMBER
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TESKIN, F

9

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DATE MAILED:  
1713

APR 02 2004

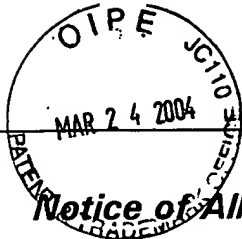
05/09/00

**OFFICE OF PETITIONS**

Please find below and/or attached an Office communication concerning this application or proceeding.


Commissioner of Patents and Trademarks

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APR 13 2004  
TC 1700



# Notice of Allowability

Application No. <b>09/056,289</b>	Applicant(s) <b>Shutt, et al.</b>
Examiner <b>Fred Teskin</b>	Group Art Unit <b>1713</b>



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendment filed February 22, 2000.

☒ The allowed claim(s) is/are 1-110

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

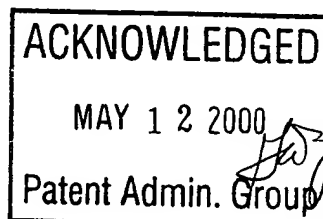
☐ Notice of Informal Patent Application, PTO-152

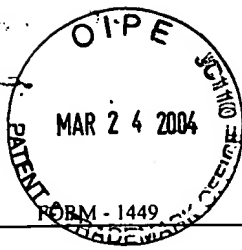
☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance





SHEET 1 OF 1

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.

98B017/2

SERIAL NO.

UNASSIGNED

APPLICANT

John R. Shutt, et al

FILING DATE

04/07/98

GROUP

~~1755~~ 1713

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>FF</i>	AA	5,627,242 A	06/06/97	Jacobsen, et al	526		

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
<i>FF</i>	AB	WO 93 25591 A	12/23/93	PCT				
<i>FF</i>	AC	EP 0 575 875 A	12/29/93	Europe				
<i>FF</i>	AD	EP 0 624 604 A	11/17/94	Europe				
<i>FF</i>	AE	EP 0 643 078 A	03/15/95	Europe				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages of Publication, Etc.)

	AF	
	AG	
	AH	

EXAMINER

FRED TESKIN  
PATENT EXAMINER

DATE CONSIDERED

*05/00*

\* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next comment to applicant

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**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL (Large Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

98B017/3

☐ **DUPLICATE** (Check box  
if applicable)

First Named Inventor

Examiner

Group/Art Unit

J.R. Shutt

F. Teskin

1713

Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

EL404523233US

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/056,289 filed on April 7, 1998 and entitled:

Polymerization Process

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449

- b. ☐ Copies of IDS Citations

6. ☒ The fee for this application is calculated as follows: \*

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	110	- 20 =	90	x \$18.00	\$1,620.00
Indep. Claims	14	- 3 =	11	x \$78.00	\$858.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					<del>690.00</del> \$960.00
TOTAL FILING FEE					<del>\$3,438.00</del> 3,168.00

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TC 1700

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)  
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 05-1715

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of \_\_\_\_\_ is enclosed.

9. ☐ Also enclosed:

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)  
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

**NOTES**

Submit an original, and a duplicate for fee processing.

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: August 9, 2000



Signature

Frank E. Reid

Typed or printed name

37,918

Registration Number (if applicable)

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record

cc: MLHarris





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Application Serial No. 09/056,289 Filed 4/07/98

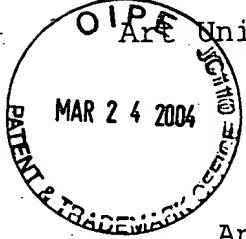
Type of Paper CPA

Family No. 98B017/2

Date Mailed Aug. 9, 2000

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Art Unit 1713

Examiner's Amendment/Comment

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicants, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

The directions for amending claim 2 in the Response of February 22, 2000 have been construed as authorizing substitution of --metallocene-- for "metallocene-type" in line 2 of claim 1, where the cited terminology actually appears, and the amendment entered as so construed. See MPEP 714.23.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner F. M. Teskin whose telephone number is (703) 308-2456.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reached on (703) 308-2450. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

FMTeskin/05-08-00

FRED TESKIN  
PATENT EXAMINER  
ART UNIT 1557

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Date In 8/9/00	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$11.75
Time In 18:01	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee Insurance Fee
Weight lbs. 2.3	Acceptance Clerk Initials [Signature]	Total Postage & Fees \$11.75
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

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METHOD OF PAYMENT: Express Mail Corporate Acct. No. X771370	<input type="checkbox"/> <b>WAIVER OF SIGNATURE</b> (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. I authorize that delivery employee's signature constitutes valid proof of delivery. <input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday
Federal Agency Acct. No. or Postal Service Acct. No.	Customer Signature

<b>FROM: (PLEASE PRINT)</b> EXXON CHEMICAL COMPANY BPC LAW TECHNOLOGY PO BOX 2149 BAYTOWN TX 77522-2149 78B017/3	<b>TO: (PLEASE PRINT)</b> ASST COMMISSIONER FOR PATENTS WASHINGTON DC 20231-9999 BDC CPA
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Thank You  
 Please come again!

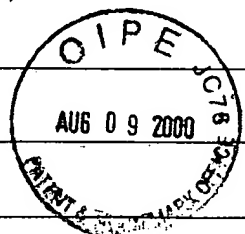
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Application Serial No. 09/056,289 Filed 4/07/98

Type of Paper CPA



Family No. 98B017/2

Date Mailed Aug. 9, 2000

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 For/gdy



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giz

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/05C-289

98B017/2

98B017/2

EXXON CHEMICAL COMPANY  
P O BOX 2149  
BAYTOWN TX 77522

2542/1002

EXAMINER
----------

TEKIN, F

ART UNIT	PAPER NUMBER
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1718

10

**FYI:** DATE MAILED: 10/02/00

### NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on \_\_\_\_\_.
- ☐ A response (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_, which is after the expiration of the period for response (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
- ☐ A proposed response was received on \_\_\_\_\_, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).

- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_.
- ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_.
- ☒ The issue fee has not been received.

- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of \_\_\_\_\_) were received on \_\_\_\_\_.
- ☐ The proposed new formal drawings filed \_\_\_\_\_ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on \_\_\_\_\_.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

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OCT 10 2000

EMCLT BPC  
BAYTOWN

OCT 10 2000

ABANDONMENT  
CONTACT PERSON IS:  
TOM HAWKINS  
305-8380